

## REMARKS

Claims 1-32 are pending in the application. Claims 1, 17, 23, and 31 are independent. Claims 1, 17, 23, and 31 have been amended. The Abstract has been amended. These changes are believed to introduce no new matter and their entry is respectfully requested.

### Objection to the Abstract

In the Office Action, the Examiner objected to the Abstract because it exceeds 150 words. By the foregoing Amendment, Applicants have amended the Abstract to accommodate the Examiner. Accordingly, Applicant respectfully requests that the Examiner reconsider and remove the objection to the Abstract.

### Rejection of Claims 1, 4, 6, 9-12, 14-15, 17-21, and 23-24 Under 35 U.S.C. §102(b)

The Examiner rejected claim 1, 4, 6, 9-12, 14-15, 17-21, and 23-24 under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,636,210 to Agrawal (hereinafter "Agrawal"). A claim is anticipated only if each and every element of the claim is found in a reference. (MPEP §2131 citing *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628 (Fed. Cir. 1987)). The identical invention must be shown in as complete detail as is contained in the claim. *Id.* citing *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236 (Fed. Cir. 1989)). Applicants respectfully traverse the rejection.

Representative claim 1 recites in pertinent part "a buffer management module maintain a pool of available buffers in which to store the cells, to allocate buffers when cells need to be stored, to release buffers when their stored data cells have been read by one or more of the out put ports, and to generate a **buffer overflow flag (BOF) if there are no buffers available** (emphasis added). Amended independent claims 17 and 23 have similar language. Support for these changes can be found in Applicant's Specification at page 5, lines 28-31, and at page 9, lines 29-30.

Applicant respectfully submits that Agrawal does not teach at least these elements. Applicant respectfully submits that Agrawal does not provide any mechanism for signaling that there are no buffers available. As such, Agrawal does not teach the identical invention as claim 1, 17, and 23. Accordingly, Applicant respectfully submits that Agrawal does not

anticipate claim 1 and respectfully requests that the Examiner reconsider and remove the rejection to claims 1, 17, and 23.

Applicant also respectfully submits that claims 4, 6, 9-12, 14-15, 18-21, and 24 properly depend from claims 1, 17, or 23. As such claims 4, 6, 9-12, 14-15, 18-21, and 24 are patentable over Agrawal for at least the same reasons that claims 1, 17, or 23 are patentable over Agrawal. Accordingly, Applicant respectfully requests that the Examiner reconsider and remove the rejection to claims 4, 6, 9-12, 14-15, 18-21, and 24.

Rejection of Claims 2-3, 5, 7-8, and 16 Under 35 U.S.C. § 103(a)

The Examiner rejected claims 2-3, 5, 7-8, and 16 under 35 U.S.C. § 103(a) as being unpatentable over Agrawal in view of U.S. Patent No.6,501,757 B1 to Kamaraj et al. (hereinafter “Kamaraj”) To establish a *prima facie* case of obviousness, an Examiner must show three things: (1) that there is some suggestion or motivation to modify a reference or combine reference teachings to arrive at the claimed invention, (2) that there must be a reasonable expectation of success, and (3) that the references teach or suggest each and every element of the claimed invention. (MPEP §2143) Applicant respectfully traverses the rejection.

Applicant respectfully submits that claims 2-3, 5, 7-8, and 16 properly depend from claim 1. As such claims 2-3, 5, 7-8, and 16 are patentable over Agrawal and Kamaraj for at least the same reasons that claim 1 is patentable over Agrawal. Accordingly, Applicant respectfully requests that the Examiner reconsider and remove the rejection to claims 2-3, 5, 7-8, and 16.

Rejection of Claims 13, 22, 25, and 31-32 Under 35 U.S.C. § 103(a)

The Examiner rejected claims 13, 22, 25, and 31-32 under 35 U.S.C. § 103(a) as being unpatentable over Agrawal To establish a *prima facie* case of obviousness, an Examiner must show three things: (1) that there is some suggestion or motivation to modify a reference or combine reference teachings to arrive at the claimed invention, (2) that there must be a reasonable expectation of success, and (3) that the references teach or suggest each

and every element of the claimed invention. (MPEP §2143) Applicant respectfully traverses the rejection.

Claim 31 recites in pertinent part “a buffer management module comprising a first memory device to store pointers to those buffer groups having at least one available buffer to store a new cell; wherein the input processing module is coupled to the buffer management module to send buffer allocation requests to the buffer management module, wherein in response to a buffer allocation request the buffer management module shifts out a pointer stored in the first memory device, wherein pointers shifted out of the first memory device are returned to the first memory device if and only if buffer groups pointed to by the shifted-out pointers have at least one available buffer to store a new cell, *wherein the buffer management module is further to generate a buffer overflow flag (BOF) if there are no buffers available* (emphasis added).

Applicant respectfully submits that Agrawal does not teach at least these elements. Applicant respectfully submits that Agrawal does not provide any mechanism for signaling that there are no buffers available. As such, Agrawal does not teach the identical invention as claim 31. Accordingly, Applicant respectfully submits that Agrawal does not anticipate claim 31. Applicant respectfully submits that claims 13, 22, 25, and 32 properly depend from claims 1, 17, 23, or 31. As such claims 13, 22, 25, and 32 are patentable over Agrawal for at least the same reasons that claims 1, 17, 23, or 31 are patentable over Agrawal. Accordingly, Applicant respectfully requests that the Examiner reconsider and remove the rejection to claims 13, 22, 25, and 32.

#### Rejection of Claims 29-30 Under 35 U.S.C. § 103(a)

In the Office Action, the Examiner rejected claims 29-30 under 35 U.S.C. § 103(a) as being unpatentable over Agrawal in view of U.S. Patent No.5,130,982 to Ash et al. (hereinafter “Ash”) Applicant respectfully traverses the rejection. Applicant respectfully submits that claims 29-30 properly depend from claim 23. As such claims 29-30 are patentable over Agrawal and Ash for at least the same reasons that claim 23 is patentable over Agrawal. Accordingly, Applicant respectfully requests that the Examiner reconsider and remove the rejection to claims 29-30.

### CONCLUSION

Applicants submit that all grounds for rejection have been properly traversed or accommodated and that the application is in condition for allowance. The Examiner is invited to telephone the undersigned representative if the Examiner believes that an interview might be useful for any reason.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: 2/17/2005

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#### CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)

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Name of Person Mailing Correspondence

Y. Tanaka  
Signature

February 17, 2005  
Date